IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

WP(C).No. 28628 of 2007(G)

PETITIONER:

SINI SATHEESAN , W/O.SATHEESAN,
KUZHIPPILLIPARAMBIL HOUSE,
VALLUR,THRISSUR DISTRICT.

BY ADV. SRI.M.V.JOY

RESPONDENT:

DIVISIONAL FOREST OFFICER ,
CHALAKKUDY.

BY GOVERNMENT PLEADER SRI.RENJITH THAMPAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) NO. 28628 OF 2007

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Dated this the 3rd day of October, 2007

J U D G M E N T

The prayer made by the petitioner is for release of his vehicle, which has been seized by the respondent on the allegation that the vehicle is involved in a forest offence.

2. Learned Government Pleader would submit that confiscation proceedings are pending. It is also submitted that the vehicle is under detention since 2/2/07 and the value assessed is Rs.60,000/-.

3. Although proceedings under the Forest Act for the compensation of the vehicle is pending, it has not reached the finality. Pending such adjudication, there is no justification for continued detention of the vehicle with the Department, exposing the same to sun and rain.

4. In view of this I direct that on the petitioner furnishing a bank guarantee for Rs.60,000/-, the respondent shall release the vehicle to the petitioner.

With the above direction, this writ petition is disposed of.

ANTONY DOMINIC, JUDGE.

Rp